

**Adult High School Completion (AHSC) or Adult Secondary Education (ASE)**

*Instruction designed below the collegiate/post-secondary level for the adult who (1) has basic skills and competence levels in reading, writing, speaking, problem solving and computation; and (2) may or may not have a certificate of graduation (or its equivalent) from a school providing secondary education. Includes grades 9.0 through 12.0.*

**Adult Basic Education (ABE)**

*Program of instruction below the collegiate/post-secondary level for adults who lack competence in reading, writing, spelling, problem solving or computation at a level necessary to function in society, on a job, or in a family.*

**English for Speakers of Other Languages (ESOL)**

*Program below the collegiate/post-secondary level for non-native-English-speakers who lack competence and language acquisition in any of the following: reading, writing, speaking, problem solving or listening.*

**Board Rule**

*Refers to Utah State Office of Education (USOE) Board Rule.*

# SECTION 1

## ELIGIBILITY TO PARTICIPATE IN ADULT EDUCATION INSTRUCTION

Utah Adult Education is a program of instruction below the collegiate (post-secondary) level for adults. Utah Adult Education is comprised of Adult High School Completion (AHSC/ASE), Adult Basic Education (ABE) and English for Speakers of Other Languages (ESOL) and, as a Utah requirement, is provided to out-of-school persons 16 years of age and older having demonstrated proof of Utah residency.

As a Utah requirement and for clarification of the definition of adult education in determining who is eligible for adult education services, the federal Workforce Investment Act Title II (1998)(section 203 AEFLA) definition is utilized as the state standard for all programs.

*The Workforce Investment Act Title II (Sec. 203 AEFLA) describes adult education as:*

*Services or instruction below post-secondary level for individuals that are:*

*16 years (attained) not enrolled or required to be enrolled in secondary school under state law; and*

- i. lack sufficient mastery of basic educational skills to enable them to function effectively in society;*
- ii. do not have a secondary school diploma or its recognized equivalent (GED®), and have not achieved an equivalent level of education; or*
- iii. are unable to speak, read or write the English language.*

NOTE: Academic instruction must be provided to persons qualifying for services in the student's lowest academic area of instruction as determined by a formal state assessment.

Two main funding sources exist to provide services for adults.

- State legislative Minimum School Program (MSP) funds available to school districts only on a state allocation basis.
- Federal Adult Education and Family Literacy Act (AEFLA) funds available to both school districts and nonprofit community-based organizations on a competitive award basis.

Funding is not assured from year to year and is typically based on the performance or success the state maintains. State and federal funds require that the Utah State Office of Education (USOE) and local programs assure certain processes and are accountable for the funds provided.

### **Resident and Non-Resident Students**

Utah adult education services may be offered to persons eligible to participate in adult education whose primary residence is located in a border community not conducive to their commuting to the neighboring state's closest adult education program. These individuals are not subject to paying out-of-state tuition. Programs that are eligible boarder programs are defined in Establishing Proof of Utah Residency – Adult Education Policies and Procedures Tab R.

It is a Utah State Office of Education requirement that states federal funds awarded to districts or community-based organizations be used to serve Utah students. A student must meet the following eligibility criteria for the use of federal funds:

- He/she provides proof of Utah residency, or
- His/her primary residence is located in a border community not conducive to their commuting to the neighboring state's closest adult education program.

### **Allowable Use of State or Federal Adult Education Funds**

Students meeting funding codes 2, 3, 6, and 7 as defined below qualify for use of state or federal funds for eligible activities in adult education.

Note: all adult education instructional services are available only to persons who academically are below the collegiate/post-secondary level of a 12.9 academic grade level. Students who academically test above the 12.9 grade level are not entitled to adult education services through the use of either state or federal adult education funds.

**Out-of-school youth**  
16- and 17-year-old youth officially released from the day school program.

**Emancipated**  
Age of majority (in Utah the age of majority is 18); includes underage individuals who are married and/or individuals who are adjudicated.

**Adjudicated**  
An individual who is viewed by the court as an adult.

**Weighted Pupil Unit (WPU)**  
The Weighted Pupil Unit is the basic source of funding for public education and accounts for about half of all school funding. It is paid to districts according to enrollment.

#### **Funding Code**

#### **Allowable Use of State Funds**

2	<ul style="list-style-type: none"> <li>• 16-19 years of age</li> <li>• Not a high school graduate</li> <li>• Class has not graduated</li> <li>• Out-of-school youth</li> <li>• Submits a completed “Adult Education Program and/or GED Testing Application for 16-18 Year-Old Non-Graduates” form</li> <li>• Academically assessed with a state approved assessment, demonstrating less than post-secondary (12.9) grade level in reading, writing, math, speaking, or listening. Program must focus on improving basic literacy in the lowest of the above named areas of instruction in addition to other goals set by student and education staff.</li> </ul>
3	<ul style="list-style-type: none"> <li>• 17 years of age and over</li> <li>• Not a high school graduate</li> <li>• Class has graduated</li> <li>• Academically assessed with a state approved assessment, demonstrating less than post-secondary (12.9) grade level in reading, writing, math, speaking, or listening. Program must focus on improving basic literacy in the lowest of the above named areas of instruction in addition to other goals set by student and education staff.</li> </ul>
6	<ul style="list-style-type: none"> <li>• Under 18, but legally documented as a adult</li> <li>• Not a high school graduate</li> <li>• Academically assessed with a state approved assessment, demonstrating less than post-secondary (12.9) grade level in reading, writing, math, speaking, or listening. Program must focus on improving basic literacy in the lowest of the above named areas of instruction in addition to other goals set by student and education staff.</li> </ul>
7	<ul style="list-style-type: none"> <li>• 16 years of age and over</li> <li>• High school graduate</li> <li>• Academically assessed with a state approved assessment, demonstrating less than post-secondary (12.9) grade level in reading, writing, math, speaking, or listening. Program must focus on improving basic literacy in the lowest of the above named areas of instruction in addition to other goals set by student and education staff.</li> </ul>

#### **Further Explanation**

##### **1. Out-of-School Youth Eligibility**

Adult education programs have a responsibility to provide educational opportunities to adults and out-of-school youth age 16 or older who have not graduated with a secondary education diploma or its equivalent. (Board Rule R277-733-1-R-S)

Programs must assure school district administrators that they will not actively seek students who are enrolled in K-12 programs. Use of state or federal adult education funds to support activities in adult education is allowed if the student has written documentation of “not being enrolled” in a K-12 program, i.e., a completed “Adult Education Program and/or GED Testing Application for 16-18 Year-Old Non-Graduates” form.

Adult education programs/courses may also be made available to public education students who are younger than 18 as determined to be necessary by local adult education programs. (Board Rule R277-733-1-R)

**Americans with Disabilities Act**

*No qualified individual with a disability, by reason of such disability, shall be excluded from participation in or be denied the benefits of the services, programs, or activities of the USOE, or be subjected to discrimination by the USOE. Board Rule R-277-104-2-C*

**Nondiscrimination**

*“Adult education programs must take continuing steps to notify participants, beneficiaries, applicants, elementary and secondary school parents, employees (including those with impaired vision or hearing), and unions or professional organizations that have agreements with the recipient that it does not discriminate on the basis of age, race, color, national origin, sex or disability” (Title:34 CFR 106.9) (Section 504:34 CFR 104.8)*

**2. Adjudicated or Married Exceptions**

If a Utah resident is adjudicated or married, the student is treated as if he/she were 18 years of age (the age of majority in Utah, emancipated). A student who self-reports that he/she is married must show evidence in the form of a certified marriage certificate.

**Non-Allowable Use of State or Federal Funds**

Students meeting funding codes 4, 5, 8 and 9 do not qualify for state adult education funds. Students meeting code 9 must pay tuition, as would be charged at the nearest public college or university. The WPU must be used to pay for tuition and associated cost for students meeting criteria for codes 4, 5, and 8.

**Funding Code**

**Non-Allowable Use of State or Federal Funds**

4	<ul style="list-style-type: none"><li>• Under 18 years of age</li><li>• Not a high school graduate</li><li>• Currently attending both a K-12 program and an adult education program</li><li>• Academically assessed with a state approved assessment, demonstrating less than post-secondary (12.9) grade level in reading, writing, math, speaking, or listening. Program must focus on improving basic literacy in the lowest of the above named areas of instruction.</li><li>• Seeking a K-12 diploma</li></ul>
5	<ul style="list-style-type: none"><li>• 18 years of age and over or emancipated</li><li>• Not a high school graduate</li><li>• Currently attending both a K-12 program and an adult education program</li><li>• Academically assessed with a state approved assessment, demonstrating less than post-secondary (12.9) grade level in reading, writing, math, speaking, or listening. Program must focus on improving basic literacy in the lowest of the above named areas of instruction.</li><li>• Seeking a K-12 diploma</li></ul>
8	<ul style="list-style-type: none"><li>• Summer senior</li><li>• Class has graduated</li><li>• Currently attending an adult education program to complete courses for a K-12 diploma</li><li>• Academically assessed with a state approved assessment, demonstrating less than a post-secondary (12.9) grade level in reading, writing, math, speaking, or listening. Program must focus on improving basic literacy in the lowest of the above named areas of instruction.</li></ul>
9	<ul style="list-style-type: none"><li>• Out-of-state resident</li><li>• Academically assessed with a state approved assessment, demonstrating less than a post-secondary (12.9) grade level in reading, writing, math, speaking, or listening. Program must focus on improving basic literacy in the lowest of the above named areas of instruction.</li><li>• <b>Exception:</b> Persons from the bordering state of Idaho, Nevada, New Mexico, Colorado, and Wyoming seeking/attending a Utah adult education program are not considered out-of-state students for enrollment in adult education programs in: Washington, Kane, San Juan, Uintah, Daggett, Logan, Cache, and Tooele school districts; and community-based organization programs: English Language Center of Cache Valley and the San Juan Foundation. Note: These students would be coded 2, 3, 6, or 7.</li></ul>

## Further Explanation

### Use of State Funds for K–12 Students whose class has not graduated and who want to enroll in adult education.

All public education funds are required to follow the student. For example, if a 17-year-old student whose class has not graduated who currently is attending a K-12 program of instruction wants to enroll in a Utah Adult High School Completion program, the district Weighted Pupil Unit (WPU) generated by that student from the K–12 program **must** be transferred to the adult education program for the student's education. The funds are to be pro-rated if the student transfers to the adult education program after the beginning of a school year based on time spent in the adult education program. (Board Rule R-277-733-7-B-C).

#### Board Rule:

"A student under 19 years of age who has not graduated and who is a resident of the district, may, with approval under the state administered Adult Education Standards, enroll in the Adult Basic and Adult High School Completion program and generate regular state WPUs at the rate of 990 clock hours of membership per one weighted pupil unit per year, 1 FTE on a yearly basis. The clock hours of students enrolled part-time must be pro-rated." (Board Rule R-277-733-7-B-C).

If the WPU does not follow the student for his/her participation in adult education, the program should charge the student full fees and tuition, just as the student would pay to the nearest public college (includes applied technology colleges) or university (*Utah Code 53A-15-404 2*).